

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES EVERETT SHELTON,

*Plaintiff*,

v.

FCS CAPITAL LLC, et al.,

*Defendants.*

**Case No. 2:18-cv-03723-JDW**

**ORDER**

**AND NOW**, this 16th day of July, 2020, the Court instructs that, at the hearing scheduled for July 17, 2020, in addition to the subject motions, the parties should be prepared to address the following:

1. Whether the Court has jurisdiction under Federal Rules of Civil Procedure 62 and 69 to enforce orders concerning discovery in aid of execution during the pendency of an appeal (*see Louis Dreyfus Commodities Suisse SA v. Financial Software Sys., Inc.*, Civ. A. No. 14-5995, 2017 WL 2903150, at \* 1, n. 2 (E.D. Pa. July 7, 2017) and *Printing & Paper Trades Aux. Workers v. Cuneo E. Press, Inc. of Pa.*, 72 F.R.D. 588, 590 n.1 (E.D. Pa. 1976));
2. Whether the Court should strike Defendants' Brief in Opposition to the Motion for Contempt and Sanctions (ECF No. 68) as untimely; and
3. Whether Defendants have any legal basis to exclude Plaintiff James Shelton from the hearing.

**BY THE COURT:**

*/s/ Joshua D. Wolson*  
JOSHUA D. WOLSON, J.